

DEVELIN ATTACKS LEGALITY OF PLANS FOR VICTORY HALL

Says Structure Should Be Built by Officials Responsible to and Directed by Council

STRESSES NEED OF LAWS TO CENTRALIZE AUTHORITY

County Commissioners Say They Will Not Change Any Part of Their Program

Councilman James A. Develin, independent leader of City Council, launched an attack today against the legality of plans of the County Commissioners to build a Victory Convention Hall at a cost of \$4,000,000 and possibly more.

It is stated that Mr. Develin's objections may lead to a taxpayers' suit against the expenditure of the money by the Commissioners. In fact, the question of starting suit has already been discussed by Mr. Develin with Owen J. Roberts, an attorney.

Develin's Objections Mr. Develin's objections on legal grounds to the proposed building of the Victory Convention Hall are based on three points: First, that the Act of Assembly which gives County Commissioners throughout Pennsylvania the power to build such a structure does not apply to Philadelphia; second, that the act in question would provide for the financing of the building by the County Commissioners, whereas the Act of 1921 stipulates that the Commissioners shall spend no money except that levied and appropriated by the Council; and third, that the Department of Public Works is the proper authority to have charge of the construction of all public buildings.

Holmes Going Ahead George F. Holmes, president of the Board of County Commissioners, said today:

"The County Commissioners are going right ahead with the present program and will not enter into a controversy with Mr. Develin or anybody else. If Mr. Develin wants to stop the building of Victory Hall that is up to him."

"The County Commissioners have a direct mandate from the people to build this hall and that they propose to do unless they are stopped. The proposition is approved by the official Grand Jury, which was a direct command to us to place the question before the people."

"At the election in November, 1921, it was overwhelmingly approved. These facts have been well known for some time. They have been known to Mr. Develin. They have been known to the Mayor, to whose attention this act was called before a single step was taken."

"Every step taken by the County Commissioners has been given fullest publicity and, up to this time, has had the approval of everybody concerned. The only question which now arises is: Why this sudden, violent alarm over the legality of the proceedings?"

To Codify Finance Laws Plans are now under way to call on the Legislature in the session which begins next month to codify the finance laws of the city and county so as to center all control over funds for new public buildings in Council and all supervision of plans and construction in the Department of Public Works. It is pointed out in this campaign would eliminate such conditions as now prevail, for example, with respect to the Art Museum which is being built by the Park Commission and which is to cost more than \$8,000,000, when it was originally thought it would cost about \$3,000,000. In this case the commission gets the money from Council, which gets it from the people through taxes, but Council has no direct control over the expenditures. A somewhat similar condition exists with respect to the Municipal Court.

Councilman Develin and Mayor, independent leaders, proposed today that the State Legislature should study the growing complications in Philadelphia's finances in relation to new public buildings and do something to vest control of funds and control of the construction of the Administration, thus eliminating the possibilities of extravagance, wastefulness, out motion and lack of check in the city and county government and in such bodies as the County Commissioners, the courts and the Park Commission. Discussion of this movement was arranged by an editorial published in yesterday's Public Ledger, which discussed the Victory Hall plans and proposed that the structure be built by officials responsible to Council.

Looking to Pinchot Those in sympathy with the plan of centralizing control of public buildings and expenditures are confident of the support of the new State Administration for the reason that Mr. Pinchot himself aims at the same objective of economy, efficiency and reorganization in the State's government and finances.

As a matter of fact, the proposal for codification and the making of laws already have been informally and tentatively presented to Councilman Hall, majority leader of Council, who will probably be an influential member of Council's legislative committee which will seek various measures of home rule for Philadelphia from the General Assembly.

SHIP ADRIFF TEN DAYS Battered Schooner Rescued in Mid-ocean—Crew Almost Famished New York, Dec. 22.—The 20-ton schooner Rosa Perita, of Tampa, wrecked and languished in New York harbor last night in tow of the United States steamer President Garfield, and rescued and battered bulk headed at a point where it might have been a ghost ship risen from a Clark Russell sea story.

She carried no canvas, except a torn jigger that flapped crazily from her forepeak; her mizzenmast had been ripped off by the gales a few feet above her deck and her sea anchor had been swept overboard; her rudder was useless and her decks were littered with torn and broken gear—and never her sails loomed white and almost featureless against the sky.

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DITCH BLOCKS PARKWAY



This cavity, twenty feet deep and forty feet wide, extending from Twenty-third to Twenty-fifth street near the Green Street entrance to Fairmount Park, prevents completion of the Parkway, Director Caven, of Public Works, asserts. The dotted lines show how Mr. Caven wants to continue and complete the Parkway. The Fairmount Park Commission wants to build a trolley subway in the ditch so cars will not run past the Art Museum.

BARTENDER FIGHTS THUG. SAVES CASH

Hit on Head With Pipe, He Keeps Thug From Cashbox

A phony fight by the bartender, after he had been wounded, saved the cash register from being looted this morning in the saloon of Mrs. Patrick Coyne at the northwest corner of Twenty-first and South streets.

Larry Mitchell, thirty-eight years old, of 2205 Fitzwater street, the bartender, was standing behind the bar shortly after 8 o'clock when a Negro entered and asked for a drink. After the man ran from behind the bar and hid west on South street and up an alley, he has not been captured.

Mitchell was taken to the University Hospital, where it was said his condition is not serious.

The man reached over and struck the bartender on the head with a piece of pipe, which he held in his hand. The bartender was hit on the head and fell. The thug then ran away from the saloon and hid in an alley.

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GIRL CADDY IN HOSPITAL HAPPY WITH HER PRESENTS

Christmas for Carrie Liberty Made Bright by Flood of Gifts

A bright smile is on the face of little Miss Carrie Liberty, the girl caddy who is in the Alington Memorial Hospital, for she is surrounded by presents that have been brought to make her Christmas happy.

She missed the dinner yesterday which was given to the boys by the members of the country club, but that day is just, for the gifts that were sent her have shown that in all the anxiety she was not forgotten.

Her name—well, the Americanized version is given as Carrie Liberty—but then "What is a name?" she is one of the caddies, and her winsome ways have earned for her the respect of the boys and the love of many of her patrons.

Carrie is not worried about herself, even though partially paralyzed, for the doctors are working hard to bring her back to a normal condition, so that she can again tramp over the greens and watch the disks golf balls.

She was struck and injured by an automobile. Her back was hurt and the skilled surgeons have been working ever since, and hold out hope for recovery.

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MANY BEQUESTS MADE TO CATHOLIC INSTITUTIONS

\$1000 Willied to Propagation of Faith Society by Fannie Connor

Catholic churches and institutions benefited through a number of small bequests in the will of Fannie Connor, who died in St. Agnes' Hospital. The estate totaled \$925.

The \$1000 was willied to the Propagation of Faith Society, with \$250 each to St. Joseph's Church, Trinity Church, St. Mary's Church, and St. Joseph's Orphanage. There was \$100 willied each of the following: St. Vincent's Hospital, St. Vincent's Hospital, St. Vincent's Hospital, St. Vincent's Hospital, St. Vincent's Hospital.

The will of David Johnson, of 2056 Locust street, admitted to probate today, is an estate of \$42,000. Mr. Johnson died Tuesday, and left a widow, Mrs. Johnson, and two children, a son and a daughter, Dorothy I. Johnson.

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DEFENSE REBUFFED AT HEIRIN TRIAL

Judge Refuses to Order "Not Guilty" Verdict and Strikes Out Evidence

PLOT IS NOW CHIEF ISSUE

By a Staff Correspondent of the Evening Public Ledger

Marion, Ill., Dec. 22.—Judge Hartwell, presiding at the first of the Heirin massacre trials, today denied motions of the defense that all testimony presented by the prosecution be excluded and that the jury be directed to render a verdict of not guilty.

The defense made twenty formal motions, in all, and the court refused to sustain any of them. The contention of the defense was that the testimony called for the admission of testimony which did not directly concern any one of the five defendants.

In overruling the motions Judge Hartwell said that he did so because of the State "theory of conspiracy, which calls for the admission of testimony which did not directly concern any one of the five defendants."

"No matter who killed Howard Hoffman," said Judge Hartwell, "the jury must, for the facts that resulted from a great conspiracy of action which the five defendants were a part, then the jury will have to consider the acts of the units in this course of action."

Defense Begins Testimony After the court overruled the motions, the defense began presentation of evidence. Twenty-five witnesses answered the roll call, farmers, farmers' sons, and others, who testified that they were present at the Heirin massacre.

"Uncle Tom" is a farmer, seventy-eight years old, a great white beard flows down his old chest, and two nipples are seen from under buttoned trousers.

"Uncle Tom" is a character heretofore rugged and honest. Judge Hartwell calls him "Tom Penny." He is a farmer, seventy-eight years old, a great white beard flows down his old chest, and two nipples are seen from under buttoned trousers.

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CITY WANTS TO FILL PARKWAY TRENCH

Its Presence Declared Barrier to Completion of Plans for Beautifying Section

PARK BOARD OBJECTING

A trench, several hundred feet long, at the head of the Parkway, threatens to cause an open break between the Department of Public Works, which wants it filled, and the Fairmount Park Commission, the Park Commissioners refuse to consent to the filling.

Director Caven has placed before Mayor Moore a plan for filling the trench and completing paving of the Parkway to the Fairmount Park entrance where the Park Commissioners' wishes would be ignored.

The trench has remained open for two years, necessitating a long detour by motorists and proving an effective barrier to completion of the Parkway by the city. Eli Kirk Fice, chairman of the Committee on Superintendence of the Park Commission, refuses to permit city workers to touch it.

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